

Public policies—laws and regulations—can be designed to limit access to substances and to decrease the problems associated with their use. One reason policies work is that they create a change in the environment itself (in contrast to efforts that aim at individual behavior change). Policy strategies are most likely to be effective if they do one or more of the following:

- Increase the price of alcohol or tobacco
- Set the legal blood alcohol content (BAC) limit to 0.08
- Set the legal BAC limit to 0.00 (or no higher than 0.02) for people under the age of 21
- Provide deterrents to using alcohol or provide incentives for not using
- Limit the location and density of alcohol retail outlets
- Restrict the use of tobacco in public and private workplaces

Some environmental policies are developed and implemented by the government, usually at the State level. But many other regulations can be put into place at the community level to achieve similar goals. For instance:

- Restrictions on smoking in public places (e.g., movie theaters and restaurants)
- Open-container laws prohibiting alcohol consumption in public places
- Limits on the location, density, and hours of operation of liquor stores
- Rules governing the use and placement of cigarette vending machines
- Regulations on advertising and billboard placement in the community

Institutions or organizations can implement certain environmental policies; for example, companies can declare themselves to be smoke-free workplaces, and universities can decline to serve alcohol at their functions.

Officials Pass Ordinances Restricting Outdoor Tobacco and Alcohol Advertising²

A stroll through almost any inner-city neighborhood demonstrates what researchers know to be true: Alcohol and tobacco billboards saturate many communities, particularly urban and less affluent communities that lack the zoning regulations or neighborhood mobilization to keep such billboards out. On one of these walks, it would be hard to miss the images of attractive people, often people of color, portrayed as sexy, wealthy, and happy. You might also notice amusing, friendly characters, such as the Budweiser Frogs or, until recently, Joe Camel.

It is impossible to shield children from these images. Unlike television or radio, billboards cannot be turned off. And, unlike print ads, they cannot be restricted to adult-targeted magazines. In fact, many activists charge that alcohol and tobacco billboards deliberately target children by using cartoon characters and talking animals. One study in an urban Latino community found that children passed as many as 60 alcohol advertisements on their way to school every day.³

Baltimore, one of the first communities to implement local ordinances against outdoor advertising of alcohol and tobacco, became the target of a lawsuit by Anheuser-Busch, the world's largest brewer. A company spokesperson warned that the brewer would "vigorously defend our right to advertise to adult consumers throughout the nation and in all media." Anheuser-Busch's lawyers argued that alcohol is a legal prod-

uct, and therefore its advertising should not be treated differently from any other form of advertising. The court disagreed, basing its decision on a precedent set by the U.S. Supreme Court in 1980, allowing regulations to restrict commercial speech under certain conditions. The ruling in *Anheuser-Busch v. Schmoke* found that the ordinance was legal for several reasons, including the following:

- Baltimore's goal of protecting the welfare and temperance of children was in the government's interest.
- The ban was limited to areas in the city where children were likely to be present.
- The regulations did not limit the company's ability to advertise in other venues.
- Billboards are an appropriate target for regulation because of their intrusiveness in a community.
- Children deserve special protections from aggressive marketing practices.

Anheuser-Busch appealed the decision in *Anheuser-Busch v. Schmoke*, but it was upheld by the Fourth Circuit Court of Appeals. The brewer then appealed to the Supreme Court, which refused to hear the case. It is likely that the Supreme Court will eventually hear a case on the rights of commercial speech with respect to products that are illegal for children. For now, however, two lower courts have stood in favor of Baltimore, and other cities are following its lead.